

### REMARKS

In the Office Action, claims 1, 3 and 4 were rejected under 35 USC §102(b) as being anticipated by Ishii et al. Claims 2 and 5 were rejected under 35 USC §103(a) as being unpatentable over Ishii et al in view of Fukuda et al.

#### (1) Claimed invention

The claimed invention features an open-type engine-driven work machine which includes an open machine accommodating section and a control box. The open machine accommodating section accommodates an engine and a work machine. The control box accommodates part of the engine, electrical components of the work machine and a fuel tank.

The cooling air, which flows in a ventilation path provided in the control box to cool down the electrical components, is effectively captured by a fan fitted to the engine so as to flow smoothly.

#### (2) Cited references (Ishii et al and Fukuda et al)

(2-a) Ishii et al teaches a sound-proof type engine-driven working machine, which has a casing 1 for accommodating an engine, a working machine, an operation panel of the working machine and a fuel tank. Since the operation panel does not generate heat, it is not necessary to provide a ventilation path for cooling air.

(2-b) Fukuda et al. also teaches a sound-proof type engine-driven working machine, which has a casing for accommodating an engine, a working machine and electrical components. The electrical components are accommodated in an electrical equipment accommodating chamber 28 which functions as a ventilation path. The engine and the working machine are accommodated in a working machine accommodating chamber 27. A centrifugal fan 35 fitted to the engine E does not face the ventilation path, although an assist fan 60, which works depending upon the temperature in the electrical equipment accommodating chamber 28, is provided at the end of the ventilation path.

(3) Differences between the claimed invention and the cited references

(3-a) The claimed invention is different from both of the cited references (Ishii and Fukuda) in the overall structure. Namely, the claimed invention relates to an open-type structure which does not have a casing except a control box, while the cited references disclose closed-type structures, i.e. sound-proof-type machine systems which are accommodated in casings.

The claimed invention relates to a machine which has a muffler exposed to the outside, while the cited references relate to machines which have mufflers in casings.

Therefore, the cited references do not teach the open-type structure, i.e. the subject matter of the claimed invention, even if the references are combined together.

(3-b) The claimed invention discloses a machine having a fan which captures cooling air from a ventilation path, while the cited references teach machines having fans which do not have ventilation paths connected thereto.

In addition, Ishii does not have electric components in a casing, but an operation panel. The electric components generate heat and need to be cooled, while an operation panel does not generate heat and does not need to be cooled.

(3-c) As described above, the claimed invention is not anticipated by, or unpatentable over the cited references.

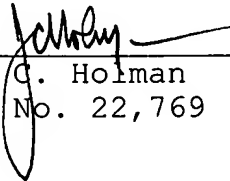
Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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Date: June 22, 2005  
JLS/dmt